

1 MStephen R. Cochell
2 Admitted Pro Hac Vice
srcochell@gmail.com
3 5850 San Felipe, Ste. 500
Houston Texas 77057
Telephone: (713) 436-8000
4 Facsimile: (213) 623-2000

5 Allan Grant (SBN#213658)
Grant's Law Firm
6 17351 Greentree Drive
Riverside, California 92503-6762
7 Telephone (888)937-7555
Facsimile (866)858-6637
8

9 Attorneys for Defendant
JASON EDWARD THOMAS CARDIFF
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11 UNITED STATES DISTRICT COURT
12 CENTRAL DISTRICT OF CALIFORNIA
13

14 UNITED STATES OF AMERICA,
15 Plaintiff,
16 vs.
17 JASON EDWARD THOMAS
CARDIFF,
18 Defendant.
19

20 Case No. 5:23-cr-00021-JGB
21

22 **EX PARTE REQUEST FOR
MODIFICATION OF REPORTING
TIME TO ALLOW SUBMISSION
OF NEW EVIDENCE IN SUPPORT
OF EX PARTE APPLICATION
FOR EXTENDED TRAVEL AND
RETURN OF PASSPORT OR, IN
THE ALTERNATIVE, TO MODIFY
BOND CONDITIONS**
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EX PARTE REQUEST FOR MODIFICATION OF REPORTING TIME TO ALLOW SUBMISSION OF
NEW EVIDENCE IN SUPPORT OF EX PARTE APPLICATION FOR EXTENDED TRAVEL AND
RETURN OF PASSPORT OR, IN THE ALTERNATIVE, TO MODIFY BOND CONDITIONS

1 On January 17, 2025, the Court denied Defendant, Jason Cardiff's Motion for
2 Reconsideration of the Court's Order denying his Application To Extend International
3 Travel Or, In The Alternative, To Modify Bond Conditions enabling him to receive
4 medical treatment in Ireland. Dkt. 171. The Court's denial cited insufficient evidence
5 that air travel posed certain and unavoidable harm to Defendant's health, finding that
6 prior medical recommendations relied on conditional language and lacked definitive
7 conclusions.

8 Defendant requests a brief extension of the return date set in the Court's order,
9 from January 19, 2025, to January 24, 2025 or as otherwise set by the Court. This
10 extension will allow the Court sufficient time to evaluate new medical documents
11 addressing the Court's concerns. These detailed medical updates will be filed under
12 seal on Tuesday, January 21, 2025.¹ This motion is based on newly issued medical
13 evidence from Defendant's treating physician, Dr. Maura Stafford, who provides a
14 definitive determination that air travel will cause immediate and prolonged damage
15 to Mr. Cardiff's health, specifically his pulmonary system. This updated statement
16 eliminates any ambiguity and provides conclusive evidence that Defendant is
17 medically unfit to travel by air under any circumstances. Dr. J. H. will provide
18 additional medical evidence that supports granting the extended travel for medical
19 treatment.

20
21 A brief extension will not prejudice the Government and will ensure that the
22 Court has the opportunity to review the updated medical evidence.

23 **I. Legal Standards**

24 Under Federal Rule of Civil Procedure 59(e) and Local Rule 7-18(b),
25 reconsideration is warranted when new material facts emerge that were not available
26 at the time of the original ruling. In addition, the court has broad discretion and can

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28 ¹ This is the earliest possible date to file these materials under seal.

1 *sua sponte* exercise its inherent authority to reconsider, rescind, or modify any
2 interlocutory order for cause seen by it to be sufficient. *Moller v. Loma Linda Univ.*
3 *Medial Ctr.*, 2024 U.S. Dist. LEXIS 232433 *5 (C.D. Cal) citing *City of Los Angeles,*
4 *Harbor Div. v. Santa Monica Baykeeper*, 254 F.3d 882, 886-889 (9th Cir. 2001).

5 **II. The Court Should Grant a Brief Extension of Time to Allow
6 Presentation of New Medical Evidence.**

7 Defendant's long term health is at stake. If Defendant travels prematurely, he
8 will suffer severe damage to his pulmonary system that will endanger his ability to
9 function in everyday life and require intensive medical treatment. The doctors want
10 to avoid unnecessary medical complications and stabilize Defendant's condition so
11 that he can travel.

12 On January 18, 2025, Defendants' counsel contacted counsel for the
13 Government requesting their concurrence in this motion, but received no response. In
14 light of the Government's need to file this motion before Defendant is obligated to
15 return to the United States and the Government's opposition to every travel-related
16 motion, defendant respectfully submits that this motion is opposed.
17

18 WHEREFORE Defendant respectfully requests that the Court extend the return
19 date in its Order (Dkt. 171) from January 19, 2025, to January 23, 2025 or three
20 days from the date of a ruling on the new evidence.

21 Dated: January 18, 2025

22 By: /s/ Stephen R. Cochell
23 Stephen R. Cochell

24 Attorney for Defendant
25 JASON EDWARD THOMAS CARDIFF
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SERVICE LIST

I HEREBY DECLARE THAT THE FOLLOWING COUNSEL HAVE BEEN SERVED WITH THIS DEFENDANT JASON CARDIFF'S NOTICE OF MOTION AND MOTION TO SUPPRESS EVIDENCE THROUGH THE COURT'S ECF OR NEXT GEN ELECTRONIC FILING SYSTEM:

E. Martin Estrada
United States Attorney
Mack E. Jenkins
Assistant United States Attorney Chief, Criminal
Division Ranee A. Katzenstein
Assistant United States Attorney Chief, Criminal
Division Valerie Makarewicz
Assistant United States Attorney Major Frauds Section
1100 United States Courthouse
312 North Spring
Street Los Angeles,
CA 90012
Telephone: (213) 894-0756 Facsimile: (213) 894-6269
E-mail: Valerie.Makarewicz@usdoj.gov

Amanda Liskamm
Director, Consumer Protection Branch Manu J. Sebastian
Brianna M. Gardner
Trial Attorneys
Consumer Protection Branch
U.S. Department of Justice
450 Fifth Street NW, Suite 6400 Washington, DC 20001
Telephone: (202) 514-0515 Facsimile: (202) 514-8742
E-mail: Manu.J.Sebastian@usdoj.gov
Brianna.M.Gardner@usdoj.gov

/S/ Stephen R. Cochell
Stephen R. Cochell